

SP-0649.1 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John C. Nardi Art Unit: 1745
Serial No. : 09/213,544 Examiner: C. Chaney
Filed : December 17, 1998
For : Alkaline Cell Having a Cathode Incorporating Enhanced Graphite

DECLARATION UNDER 37 CFR §1.132

I, the undersigned, hereby declare:

1. I am the inventor of the above-identified patent application.
2. I am employed by the assignee in the above-identified application, Eveready Battery Company, Inc.
3. In making the invention disclosed in the present application, I worked with an expanded graphite manufacturer. That manufacturer provided samples S1-S17 disclosed in Fig. 4. That manufacturer also provided a description of their process for making expanded graphite, disclosed on pages 11-14 of the present application. That manufacturer did not disclose specific parameters or processing conditions correlating to samples S1-S17.
4. After making the invention disclosed in the present application, I contacted three other expanded graphite manufacturers in an attempt to find alternate sources for expanded graphite having a kerosene absorption value within the desired range. I provided each of them with the method of determining kerosene absorption, as disclosed in the present application, the desired kerosene absorption range of 2.2-3.5 ml/g and other desired expanded graphite properties. All three manufacturers subsequently provided samples of expanded graphites that were within the kerosene absorption range that I had specified.

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the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By: John C. Nardi
John C. Nardi

5-20-2004
Date